

Sullivan County NH

Type of meeting: Board of Commissioners – Regular Business Meeting
& Special Appointment of the Superintendent of
Corrections

Date/Time: Tuesday, August 07, 2007; 3 PM

Place: Newport – Remington Woodhull County Complex, 14
Main Street

Attendees: Commissioners Ethel Jarvis – *Chair*, Commissioner Bennie Nelson – *Clerk*; Ed Gil de Rubio – *County Manager*; Greg Chanis – *Facilities & Operations Director*; Dave Laplante – *Interim SCHC Administrator/Landmark Health Solutions, LLC*; Robert “Bob” Barranello, *Principal-Landmark Health Solutions, LLC*; Captain John Milliken – *Department of Corrections (DOC)*; Lt. Doug Roberts – *Director of Inmate Programs/DOC*; Lori Keefe – *Secretary/DOC*; Cindy Vezina – *Victim Witness Coordinator*; Sherrie Curtis – *Human Services Coordinator*; Ramona Berman – *LADC/DOC*; Patti Koscielniak – *SCHC External Care Coordinator*; Janice Bryk – *Payroll Clerk*; and Sharon Johnson-Callum (minute taker). **Special Guests:** Ross & Erica Cunningham. **Absent from the meeting:** Commissioner Jeffrey Barrette.

Public attendees: Clerk of Superior Court Jim Peale; and State/County Delegates Peter Franklin and Suzanne Gottling.

3:20 Chair, Ethel Jarvis, brought the meeting to order and led all in the *Pledge of Allegiance*.

AGENDA ITEM NO. 1 APPOINTMENT OF ROSS CUNNINGHAM AS SULLIVAN COUNTY DOC SUPERINTENDENT

3:21 A motion was made, by Commissioner Nelson, to appoint Ross Cunningham as the Superintendent of the House of Corrections, to begin August 20, 2007. Commissioner Jarvis seconded the motion. A special Superintendent shield and a Sullivan County pin were presented to Mr. Cunningham. A voice vote was taken. The motion carried with both Commissioner Nelson and Jarvis in favor. Commissioner Barrette was absent from the vote.

The group recessed for ten minutes.

AGENDA ITEM NO. 2 MINUTES

AGENDA ITEM NO. 2.A. – E JULY 17, 2007 PUBLIC AND EXECUTIVE SESSIONS
Ms. Johnson-Callum noted she was awaiting input on a rough draft given to the Clerk on portions of the meeting she did not attend, therefore, did not have the draft available.

AGENDA ITEM NO. 2.F. JULY 24, 2007 PUBLIC

Ms. Johnson-Callum and Commissioner Jarvis discussed a change on page 2.

- 3:30 A motion was made by Commissioner Nelson, to approve the minutes with amendment. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote made. The motion carried, unanimously. Commissioner Barrette was absent from the vote. Commissioner Barrette was absent from the vote.**

AGENDA ITEM NO. 2.G. JULY 24, 2007 EXECUTIVE SESSION NO. 1

- 3:31 A motion was made, by Commissioner Nelson, to approve and permanently seal the July 24, 2007 No. 1 Executive Session minutes. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously. Commissioner Barrette was absent from the vote.**

AGENDA ITEM NO. 2.G. JULY 24, 2007 EXECUTIVE SESSION NO. 2

- 3:32 A motion was made, by Commissioner Nelson, to approve and permanently seal the July 24th No. 2 Executive Session minutes. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously. Commissioner Barrette was absent from the vote.**

AGENDA ITEM NO. 2 FACILITIES & OPERATIONS REPORT UPDATE

UNITY COMPLEX WATER SUPPLY - DH5 AND DH6 TWO BEDROCK WELLS UPDATE

Mr. Chanis noted DH5 water well was the well that failed. Mr. Chanis briefed the group on the discussions of this issue at the previous Unity meeting. They used hydro fracturing on the DH5, but were unable to estimate if the supply is the same or more; static level is unchanged. He estimates total cost will be approximately \$12,000. They have received all but one (1) invoice for the work. He discussed a DH4 water well abandoned in the '90's and a possible option to bring back on line. He'll have short and long term plan costs at next meeting. He noted, long term, they need to develop new bedrock wells for the facility.

AGENDA ITEM NO. 4 COUNTY MANAGER REPORT

AGENDA ITEM NO. 4.A. GENESIS ELDERCARE PO NO. 80301 \$69,588.12

This item was tabled, as the County Manager will be meeting with Commissioner Barrette tomorrow to review.

SIDE NOTE – INTRODUCTIONS TO LANDMARK HEALTH SOLUTIONS

Mr. Gil de Rubio introduced Landmark Health Solution's Principal Bob Barranello and Dave Laplante, the new Interim Sullivan County Health Care Administrator. Mr. Gil de Rubio is impressed by the work of their team so far. Mr. Laplante is compiling a marketing plan, which will be reviewed at the Boards next meeting. Mr. Barranello noted their goal is to improve services of the facility.

AGENDA ITEM NO. 4.B. JULY 16TH MEMO REGARDING FY 08 BUDGET

Mr. Gil de Rubio noted his August 7th memo to the Board was in their binders, and pertained to a follow up of his July 16th memo regarding budget cuts in the FY 08 budget, where he requested direction from the Board with four items cut. He briefed the board on the issues presented earlier, and his proposal for each:

1. FIVE PERCENT (5%) INCREASE FOR SELECTED COUNTY EMPLOYEES
 - Proposal: *"After reviewing the 5% increase with various Department Heads, I have come to realization that the FY08 budget does not have the adequate resources to cover the increases in all of the departments. Therefore, we should hold true to the 3% increase as outlined in the ratified budget."*
2. FUNDING FOR THE NEW JAIL
 - Proposal: *"Attached, is a "follow-up scope of work" from Ricci Greene Associates outlining two key areas regarding the "Sullivan County Jail Needs Assessment." The first is to "Assess and document the implications of doing nothing about the jail problem," the second, "Further explore preferred cost reduction strategies for the proposed project."*

Commissioner Nelson noted he spoke to Seth Wilner regarding 1 (above) and told him if they could find it within their own budget, they could do so.

The Commissioners and County Manager discussed 2 (above).

3:44 A motion, was made by Commissioner Nelson, to table further discussions [on the second issue] until after the Sullivan County Criminal Justice Coordinating Committee meets, August 29th, 2007, and provides recommendations. Commissioner Jarvis seconded. A voice vote was taken. The motion carried, unanimously. Commissioner Barrette was absent from the vote.

AGENDA ITEM NO. 4.C. MANAGEMENT ACTION PLAN FOR FY 08

Mr. Gil de Rubio is working with the Department Heads on goals for FY08.

Commissioner Nelson recommends as they are behind on revenues already at Sullivan County Health Care to hold off on projects. Mr. Gil de Rubio confirmed he and Mr. Laplante have discussed this issue and are reviewing all projects.

Mr. Gil de Rubio confirmed the audit report is usually done the first of September. Commissioner Jarvis noted it needed to be done as quickly as possible.

SIDE NOTE – COUNTY ANNUAL REPORT DEADLINE

Ms. Johnson-Callum confirmed to Commissioner Jarvis the County's annual report must be mailed out by September 30th.

AGENDA ITEM NO. 4.D. UPDATE ON DECLARATORY JUDGMENT – POSSIBLE EXECUTIVE SESSION PER RSA 91-A:3.II.E. (LEGAL ISSUE)

3:47 A motion was made, by Commissioner Nelson, to move the declaratory judgment discussions to end of the meeting. Commissioner Jarvis seconded the motion. Mr. Gil de Rubio noted Ms. Curtis would join them as she was here to help with the numbers since Human Services issues were involved. A voice vote was taken. The motion carried, unanimously.

AGENDA ITEM NO. 5 COMMISSIONERS REPORT

AGENDA ITEM 5.A. APPOINTMENT TO COMMISSION TO STUDY THE IMPLEMENTATION OF THE PROCEDURE FOR COUNTY PAYMENTS FOR NURSING HOME AND COMMUNITY BASED CARE (HB2)

Mr. Gil de Rubio reminded the Board no formal appointment was made at the last meeting, but one was necessary. Commissioner Nelson noted their intent was to appoint Mr. Gil de Rubio and any Commissioner available to join him would do so.

3:49 A motion was made by Commissioner Nelson to appoint County Manager Ed Gil de Rubio to the HB2 Study Committee [Commission to study the implementation of the procedure for County payments for nursing home and community based care] with the Commissioners to ride along when available. Commissioner Jarvis seconded the motion. There was no further discussion. A voice vote was taken. The motion carried, unanimously.

AGENDA ITEM NO. 5.B. REQUEST TO VIDEOTAPE MEETINGS

Mr. Gil de Rubio noted Ms. Johnson-Callum spoke to Jeff Nintzel at NCTV regarding the Commissioners request to tape future meetings and Mr. Nintzel noted Newport Town pays \$25 for taping while the School Board pays \$30. It was noted, Mr. Nintzel recommended \$30-35 for 3+ hour meetings – this would average \$840 a year. They created an ad for NCTV/CCTV to run for a reliable person to tape the meetings. Commissioner Nelson concurred he was more comfortable paying someone, rather than using someone with sponsors.

AGENDA ITEM NO. 5.D. FY07 COUNTY ANNUAL REPORT DISCUSSION

The County Annual report deadline is 9/30/07. Commissioner Jarvis noted she'd sketch out the Commissioners report and have both Commissioners review it.

AGENDA ITEM NO. 5.C. MS45 NH STATE EXPENDITURES AND INCOME REPORT OF THE COUNTY FY07 DUE OUT BY 8/14/07 PER RSA 91 24:21

This was placed on the agenda as a reminder. The State's actual Form MS45 notes the due date is 9/1/07.

SIDE NOTE – NEW LONDON HOSPITAL MEETING TONIGHT

Mr. Gil de Rubio is attending a New London Hospital meeting tonight from 6:30 – 9 p.m. and will update them on the regional emergency preparedness planning.

3:56 *Sheriff Michael Prozzo arrived.*

Sheriff Prozzo welcomed Mr. Cunningham on board. Commissioner Jarvis noted they had a voucher that will be taken care of after the meeting for the Sheriff's Office.

No other reports from the Commissioners.

AGENDA ITEM NO. 6. PUBLIC PARTICIPATION

There was none.

AGENDA ITEM NO. 4.D. UPDATE ON DECLARATORY JUDGMENT

3:58 **A motion was made, by Commissioner Nelson, to go into Executive Session for a legal matter [Per RSA 91-A:3.II.e]. Commissioner Jarvis seconded the motion. There was no discussion. A roll call motion was made. The motion carried, unanimously.**

The group left the Probate Court Room, to convene in the Probate Hearing Room just beside the Court Room.

4:15 **A motion was made, by Commissioner Nelson, to come out of Executive Session. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

The group resumed their public portion of the meeting back in the Probate Court Room. Those in the room included, Commissioners Ethel Jarvis – *Chair* and Bennie Nelson – *Vice Chair*; Ed Gil de Rubio – *County Manager*; Sherrie Curtis – *Human Services Coordinator*; State/County Delegates Peter Franklin and Suzanne Gottling; and Sharon Johnson-Callum (minute taker).

Ms. Curtis reviewed the spreadsheet with the Board. Mr. Gil de Rubio handed his copy to Peter Franklin.

Mr. Gil de Rubio asked if Rep. Franklin received a copy of the MS42, which Rep. Franklin indicated he had not. Mr. Gil de Rubio left the room to attain a copy.

Rep. Franklin noted he was present, as his previous requests for information have been "completely ignored for months". He asked the Board if he should wait until Mr. Gil de Rubio returned as the complaints were against him and Commissioner Jarvis requested him to continue. Mr. Franklin noted he requested, in writing on 7/2/07, in two separate letters, 6-7 items, he wrote another memo July 3rd and July 5th and received no response, again on July 6th and then on July 12th. He noted all letters were left by him at the office, date stamped, he has copies and has not received answers to the questions.

4:28 *Mr. Gil de Rubio returned to the room and provided copies of the MS42 to both Representatives Franklin and Gottling.*


Mr. Franklin indicated to Mr. Gil de Rubio he was speaking with the Board about requests for information, complaints regarding him, and that the Board requested him to speak before he returned.

4:29 *Mr. Gil de Rubio left the room.*

Mr. Franklin discussed the six items he requested in his 7/2/07 letter. He confirmed he received census, staffing for July and August, and part of the agency nursing data but not all questions were answer. Commissioner Jarvis attempted to explain the type of data the Board receives, but was interrupted by Representative Franklin, "*I'm complaining as to what I'm not getting*". "*The staff works for the county, they work for the Commissioners and Delegation.*" "*I'm being denied, over two years, and it's getting serious and will not put up with it anymore.*" He noted, the County Manager works for both the Board and Delegation. Commissioner Nelson and Representative Franklin discussed the letters and type of information Mr. Franklin wanted. Representative Franklin spoke regarding the County Manager's request for Representative Franklin to place his questions and data requests in writing and to not to speak to the Commissioners' Office staff directly. Rep. Franklin asked the Board if he could speak directly to Ms. Violette regarding any questions he had on the MS42. The Board did not seem to be responding, so Ms. Johnson-Callum reminded the Board of the County Manager's protocol for all questions/requests to be made in writing. She noted this was due to the demeanor of Mr. Franklin on a previous visit to the office, when he upset an employee, which disrupted the entire staff. Representative Gottling noted up to date information was essential for them to conduct their business. Representative Franklin referred back to a previous County employee who attended meetings with a laptop and a Commissioners Office staff and they were able to provide immediate information to the Delegates. He indicated Commissioners Office staff should have all the information and feels this has turned into a turf battle. Commissioner Jarvis noted to Representative Franklin the MS42 was completed by Jeff Graham and Brenda Ferland and if he had questions, they should be consulted. Representative Franklin argued Ms. Violette was capable of answering any questions he had. The Board noted they would attain copies of his letter from the County Manager.

4:56 A motion was made, by Commissioner Nelson, to adjourn the meeting. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey R. Barrette", with a large, stylized flourish at the end.

Jeffrey Barrette, Clerk
Board of Commissioners

JB/s.j-c.